

111TH CONGRESS  
1ST SESSION

# S. 498

To amend title 38, United States Code, to authorize dental insurance for veterans and survivors and dependents of veterans, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 2009

Mr. BURR introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to authorize dental insurance for veterans and survivors and dependents of veterans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DENTAL INSURANCE FOR VETERANS AND SUR-**  
4       **VIVORS AND DEPENDENTS OF VETERANS.**

5       (a) DENTAL INSURANCE AUTHORIZED.—Subchapter  
6       II of chapter 17 of title 38, United States Code, is amend-  
7       ed by inserting after section 1712B the following new sec-  
8       tion:

1 **“§ 1712C. Dental insurance: veterans; certain sur-**  
 2 **vivors and dependents of veterans**

3 “(a) IN GENERAL.—The Secretary shall provide a  
 4 dental insurance plan for the veterans and survivors and  
 5 dependents of veterans described in subsection (b).

6 “(b) COVERED VETERANS AND SURVIVORS AND DE-  
 7 PENDENTS.—The veterans and survivors and dependents  
 8 of veterans described in this subsection are as follows:

9 “(1) Any veteran who is enrolled in the system  
 10 of annual patient enrollment under section 1705 of  
 11 this title.

12 “(2) Any survivor or dependent of a veteran  
 13 who is eligible for medical care under section 1781  
 14 of this title.

15 “(c) BENEFITS.—The dental insurance plan under  
 16 this section shall provide such benefits for dental care and  
 17 treatment as the Secretary considers appropriate for the  
 18 dental insurance plan, including diagnostic services, pre-  
 19 ventative services, endodontics and other restorative serv-  
 20 ices, surgical services, and emergency services.

21 “(d) ENROLLMENT.—(1) Enrollment in the dental  
 22 insurance plan under this section shall be voluntary.

23 “(2) Enrollment in the dental insurance plan shall  
 24 be for such minimum period as the Secretary shall pre-  
 25 scribe for purposes of this section.

1       “(e) PREMIUMS.—(1) Premiums for coverage under  
2 the dental insurance plan under this section shall be in  
3 such amount or amounts as the Secretary shall prescribe  
4 for purposes of this section. The amount or amounts so  
5 prescribed shall be sufficient to ensure that amounts col-  
6 lected as premiums shall cover the entire cost to the Sec-  
7 retary of the dental insurance plan.

8       “(2) The Secretary shall adjust the premiums pay-  
9 able under this section for coverage under the dental in-  
10 surance plan on an annual basis. Each individual covered  
11 by the dental insurance plan at the time of such an adjust-  
12 ment shall be notified (by writing or by electronic mail)  
13 of the amount and effective date of such adjustment.

14       “(3) Each individual covered by the dental insurance  
15 plan shall pay the entire premium for coverage under the  
16 dental insurance plan.

17       “(f) VOLUNTARY DISENROLLMENT.—(1) With re-  
18 spect to enrollment in the dental insurance plan under this  
19 section, the Secretary shall—

20               “(A) permit the voluntary disenrollment of an  
21 individual in the dental insurance plan if the  
22 disenrollment occurs during the 30-day period begin-  
23 ning on the date of the enrollment of the individual  
24 in the dental insurance plan; and

1           “(B) permit the voluntary disenrollment of an  
2           individual in the dental insurance plan for such cir-  
3           cumstances as the Secretary shall prescribe for pur-  
4           poses of this subsection, but only to the extent such  
5           disenrollment does not jeopardize the fiscal integrity  
6           of the dental insurance plan.

7           “(2) The circumstances prescribed under paragraph  
8 (1)(B) shall include the following:

9           “(A) If an individual enrolled in the dental in-  
10          surance plan relocates to a location outside the juris-  
11          diction of the dental insurance plan that prevents  
12          utilization of the benefits under the dental insurance  
13          plan.

14          “(B) If an individual enrolled in the dental in-  
15          surance plan is prevented by a serious medical con-  
16          dition from being able to obtain benefits under the  
17          dental insurance plan.

18          “(C) Such other circumstances as the Secretary  
19          shall prescribe for purposes of this subsection.

20          “(3) The Secretary shall establish procedures for de-  
21 terminations on the permissibility of voluntary disenroll-  
22 ments under paragraph (1)(B). Such procedures shall en-  
23 sure timely determinations on the permissibility of such  
24 disenrollments.

1       “(g) RELATIONSHIP TO DENTAL CARE PROVIDED BY  
 2 SECRETARY.—Nothing in this section shall affect the re-  
 3 sponsibility of the Secretary to provide dental care under  
 4 section 1712 of this title and the participation of an indi-  
 5 vidual in the dental insurance plan under this section shall  
 6 not affect the individual’s entitlement to outpatient dental  
 7 services and treatment, and related dental appliances,  
 8 under that section.

9       “(h) REGULATIONS.—The dental insurance plan  
 10 under this section shall be administered under such regu-  
 11 lations as the Secretary shall prescribe.”.

12       (b) CLERICAL AMENDMENT.—The table of sections  
 13 at the beginning of chapter 17 of such title is amended  
 14 by inserting after the item relating to section 1712B the  
 15 following new item:

“1712C. Dental insurance: veterans; certain survivors and dependents of vet-  
 erans.”.

